

Regular meeting of the City Council
Austin, Tex., Dec. 17, 1906

John W. Dickey - Mayor, Presiding.
All called

Present Aldermen: Armstrong, Crooker, Evans, Kanner,
Latz, Miller, Moore, Petri, Powell, Von Rosenberg, & Wilhelm 11
Absent Aldermen Macken, Reed & Scott 3

On motion the minutes were approved as
recorded by the Clerk, without reading

Petitions, memorials etc

By Alderman Armstrong - Petition of Fred Petronecky
for permission to erect an iron clad building, within the
fire limits - Read and on motion referred to the Fire
Commissioners

By the Mayor Petition of Gus Gammie asking to have
certain pound fees refunded. Read and on motion
referred to the Committee on Claims & Accounts

By the Mayor - Petition of Jas Loving asking to have certain
pound fees refunded - On motion of Alderman Moore
the petition was granted

By the Mayor Petition of Leo Booth asking damages
of Buggy & Harness etc, by reason of defective street
Read and on motion referred to the Water & Light
Commission

Alderman Scott entered the Council Chamber

By Alderman Scott - Petition of the Austin Fire Insurance
Company asking Correction of Assessment for 1905 & 1906

Alderman Hayes moved that the petition be
referred to the Finance & Claims & Accounts Committee
and the City Attorney, which motion prevailed.

The above Committees were instructed to report back
at an adjourned meeting to be held Dec 20, 1906.

Alderman Macken & Reed entered the Council Chamber

Reports of City Officers

Report Marshall Nov 906 The Mayor laid before the Council the report of the
Marshall for the month of November 1906, which was on
motion referred to the Police Committee without reading

Reports of Standing Committees

Alderman Clegg for the Street Committee presented
Street Contract a report stating that they had advertised for and
for Barge & 2nd received bids for the erection of a bridge across Waller
Creek on S. 2nd Street and recommended for
acceptance of the bid of James Hallerton, for the
sum of \$2,150. On motion the report was adopted
and the Mayor authorized to call in Council with
Mr. Hallerton on receipt of his bid.

Clerk presented a report from the Auditor (the reports of the City
Treasurer, Auditor and Comptroller) The report was received, read and
then carried and found correct. The report was adopted

Finance Dept
Worth

Cemetery Section
report

Fire Bell
Powers

New Business

Policeman Sisk
resigned

Louis Mayfield
elected
Policeman

Transfer funds
from Shop fund to
City Hall

Ordinance to
lease dam to
W.H. Ellis

\$50⁰⁰ to imp. 1000.
G. C. C. I.

Alderman Wilhelmi for the Cemetery Committee,
to whom was referred the report of the Committee
of November 1906, presented a report stating that same
had been examined and found correct.

The report was adopted.

Alderman VonBrennenstuhl for the Fire Committee presented
stating that the material for the Bell Powers and Peacock
No 8 and 7 North Austin 1906 had been delivered upon
Contract; and recommended that same be paid for.
The report of the Committee was adopted.

New Business

Alderman Powell stated that there was a Vacancy in
the Police force caused by the resignation of Policeman
Sisk, and moved that the Marshal be requested
to nominate some person to fill the Vacancy, which
motion prevailed.

City Marshal Morris submitted the name of Louis
Mayfield for Confirmation as Policeman.

The Mayor appointed Aldermen Haynes Powell and
McLellan as Tellers.

The Tellers announced the following as the result of the Ballot
for Confirmation 14

Agnish

The Mayor declared Mr. Louis Mayfield elected as
Policeman for the unexpired term ending April 1907.

Alderman Haynes offered the following resolution
which was read and adopted.

Be it resolved by the City Council, that the City
Treasurer be instructed to transfer \$834.90 from the
Street Improvement fund to the credit of the Ready Hall
fund.

By Alderman Moore proposition of W.H. Ellis to
lease the City Water & Light plant and remove the dam.

Alderman Moore moved that the proposition and
ordinance be referred to a special Committee of three
Aldermen & three Citizens, with instructions to report at
an adjourned meeting of the Council to be held at
8 o'clock P.M. Dec 20th 1906.

Alderman Haynes moved that the matter be laid
on the table, which motion prevailed by the following Vote:
Years Alderman Cuneo, Haynes, H. C. Wilson, H. E. Howell
G. C. C. I. and others.

Mrs A. C. Cuneo, Alderman, Brooks, Walker Moore and
V. C. C. I.

By Alderman Wilhelmi an ordinance, after opinion by
the City of \$50⁰⁰ for the purpose of improving the City
Buildings. The ordinance was read the first time, and
passed under the signature of the Mayor by the following vote:

James Alderman Armstrong Crooker Commissioner,
Hans Macken Miller Peter Powell Redd Scott Von Rucker
Malcolm 13

Nays Alderman Moore

Alderman Wilhelm offered motion to adjourn, resolution
which was read and passed.

W.H. Commission whereas, it is intended that the improvements in the
requested to reduce Water Light System contemplated by the H. Commission
Rate when fixing the present rate for Water Light, have been
Completed and there being no longer necessity to keep
up the rates

Therefore Be it resolved by the City Council, that the Hon. Council
be and are hereby correctly requested to reduce the
minimum rate for water to \$1.00 per month, or such other
reduction as in their judgment may be proper and just
to the people.

The Mayor laid before the Council the following communication
which was read and on motion referred to Street Committee

Austin, Texas, Dec 17th 1906

To the Hon City Council of the City of Austin:
Gentlemen:

I am instructed by the East Austin
Improvement Club to notify you that at their last
regular Meeting held on 10th Inst the following
Resolution was unanimously adopted

That the City Council be asked to take steps to open all
streets now closed running North and South
intersected by the tracks of the & S.R.R. from East
Avenue east to the oil well

The Mayor laid before the Council an invitation from
East Austin Hotel No 4 to the members of the Council,
City officials and their families to attend the annual
New's Ball to be given at the hotel Jan 1st 1907

The invitation and invitation was accepted.

By Alderman Hayes An ordinance appropriating
the sum of \$20.00 for the purpose of paying P. D. Dunaway
for services while sick. The ordinance was read the
first time and passed under suspension of the rules
on the following date

Great Aldermen Armstrong Crooker Commissioner
Macken Miller Moore Peter Powell Redd Scott Von Rucker
Wilhelm 14

Nays None

By Alderman Hayes An ordinance appropriating the
sum of \$20.00 for the purpose of paying P. D. Dunaway
for services while sick. The amount owing being sum in
the several County which gives him residence
remitted by the same

Time 10am +
May 1st 1907

The Ordinance was read the first time and passed by the following Vote
 Yes Aldermen Armstrong Crooker Duncan & no
 Macken Miller Moore Petri Powell Redd Scott
 Von Rosenberg & Wilhelm 14

May None

Pay out due fury
 12/10/97 on Refunding
 bonds By Alderman Hayes an Ordinance appropriating
 the sum of \$3097.00 for the purpose of paying the debt
 due fury 12/10/97, on \$1078.500.00 Refunding bonds
 of the City

The Ordinance was read the first time and passed
 under suspension of the rules by the following Vote
 Yes Aldermen Armstrong Crooker Duncan Haynes Katz
 Macken Miller Moore Petri Powell Redd Scott
 Von Rosenberg & Wilhelm 14

May None

Water plant Alderman Scott moved to reconsider the vote by which
 referred the ordinance to cease the water & light plant was laid on
 the table, which motion prevailed by the following Vote
 Yes Aldermen Armstrong Crooker Duncan Katz Macken
 Moore Scott & Von Rosenberg 8

May Aldermen Haynes Miller Petri Powell Redd & Wilhelm 6
 On motion of Alderman Scott the ordinance was
 referred to the Water & Light Committee, with instructions
 to report at the adjourned meeting to be held Dec 20. 1900

Alderman Crooker moved to reconsider the vote by which
 the application of Fred Petricely for permission to erect an
 iron clad building within the fire limits was referred to
 the Board of Fire Commissioners, which motion was lost
 by the following Vote

Yes Aldermen Armstrong Crooker Katz Macken Redd and
 Wilhelm 6

May Alderman Duncan Haynes Miller Moore Petri Powell
 Scott & Von Rosenberg 8

Fire Dept. ask for Engine The Mayor laid before the Council a communication from
 a Committee on the part of the fire department, asking
 for the purchase of one or more fire engines -
 The communication was read and on motion was
 referred to fire Committee

Alderman Haynes presented the following which was
 read and adopted

Whereas the Library Committee appointed by the Business
 Mens League of the City of Austin will apply to the State
 Legislature of the State of Texas for a grant of one City of Austin
 for a certain part of the Temporary Capital Book for the
 purpose of building a public library thereon -

Be it resolved by the City Council of the City of Austin, that
 - having approved the objects of the Library Committee in

Library Com
 report

this movement

H L Haynes
 J G Curran
 J N Crooker
 E V Rosenberg
 A Scott
 C W Moore

Alderman Curran offered the following resolution which was read and adopted

Resolved that the City Engineer be instructed to proceed at once or as soon as possible to draft & Caloradash and give levels and grades and perform any other services required by his office

On Motion of Alderman Moore the Council adjourned until 8 o'clock PM Thursday Dec 20, 1906

J.W.O. Johnson
 City Clerk

Adjourned regular meeting of the City Council
Austin, Texas, Dec 20th, 1906

Hon Woodshelley Mayor, presiding

Allen Ballou

Present Aldermen Armstrong, Crockett, Ernest Haynes,
Hart, Macken Miller, Moore, Peter Powell, Ridd Scott,
Van Rosenberg, Wilhelm

Absent None

In motion of Alderman Moore & Alderman
Shumate was invited to a seat in the Council Chamber

Alderman Miller for the Water & Light Committee to
whom was referred an Ordinance Leasing to Mr. Ellis
the Water & Light Plant of the City presented the following
report, which was read and adopted

Austin, Texas, Dec 20, 1906

To Weston Woodshelley, Mayor, and the City Council of the
City of Austin;

We, Your Water & Light Committee, to whom was referred
an ordinance entitled, "An ordinance leasing to
Wm. F. Ellis and his or their associates, the entire
system and systems of water works, electric light and
power plants at present owned by the City of Austin,
Texas," etc, beg leave to report that, at a meeting, at
which were present the representative of Mr. Ellis, and
a Committee from the business League of the City, as
well as a number of citizens, we have fully considered
the above ordinance, and beg to recommend that the
same do not pass, for the following reasons:

1st We believe that the great majority of the citizens of
the City, who are the owners of the water and light plant,
believe with a majority of the members of this Council,
that it is unwise to lease the plant to private citizens
or a private corporation, who shall control the system
and set rates, unless such burden and restrictions
are put upon said individuals or corporations by the
City, that would prevent a responsible party or
parties making such contract, such as permitting
the Council, not only for the present but in the future,
to fix maximum rates to be charged.

2nd The City is unable to pay the sum of money required
for water, light and fire protection, as provided in said
ordinance. The City is only permitted to levy one per
cent on the taxable value for general revenue purposes
under the terms of this ordinance, or any ordinance
requiring the City to pay for water, light and fire protection,
provision would have to be made for the payment of
such sum on sums out of the general revenue, and
... would amount to, include the present rates,

Report of the
Water & Light
Committee on
Ordinance to lease
the W & L Plant
to Wm. F. Ellis

which rates it is proposed to retain for fifty years, approximately \$24,000⁰⁰. The City is now levying for General revenue Ninety two cents on the one hundred dollars of Taxable Values for General Revenue Purposes, and every dollar derived from such levy it is absolutely essential should be devoted to paying the current expenses of the City and the Annual installments on account of the old Water Company Purchase No sum of money derived from the lease of the plant could be applied to the payment of this sum for water, light and fire protection, as all such sums are pledged to the payment at the interest and principal of the bonded debt of the City, and any bondholder could, by injunction, prohibit the application, by the City, of one cent of the lease money so derived.

3rd As stated, the ordinance contemplates that the City shall pay to the lessors of the system rates for water and lights, and fire protection as now fixed by the Water and Light Commission of the City. As stated, based upon those rates, such sum would now amount to \$24,000.00 per annum, or nearly one-half the sum proposed to be paid the City for the lease of the whole plant. If the capacity and needs of the City continue to increase in proportion to the increase for the past six years, since the washing away of the dam, before the term of the lease expired, the City would be paying, annually, to the lessors of the plant, a greater sum than it is proposed to pay annually for the entire plant. In other words, the records of the Water and light office show that for the past six years there has been an increase of water and light rates of a little more than twenty five per cent, and the growth of City and public needs increase, of course, in the same proportion, and, if this ratio of increase is kept up, the City would, at the end of thirty six years, be paying to the lessors at least \$70,000.00 per year for water, light and fire protection for public use, and at the end of the contract would be paying in the neighborhood of \$100,000.00 per year for this service alone.

4th We think the rates proposed are greatly excessive, and out of all reason. It is proposed to charge, for fifty years, rates not to exceed present rates, which, of course, would mean the present rates, as neither individuals nor corporations voluntarily reduce the price of anything, where they have a complete monopoly, as would result in this case. The last year the dam was standing, the operating expenses were only \$38,000.⁰⁰, and very little as much power was generated as is now generated by the City.

plant the present income from the plant, including what it is proposed the City itself shall pay, amounts to approximately \$200,000.00 per year. If we allow \$50,000.00 per year for operating expenses, to begin with if the dam should be rebuilt, and four per cent interest and two per cent sinking fund on \$800,000.00, which is the estimate of Mr. Ellis as to the cost of the work, which amounts to \$148,000.00 per year, and allow \$56,000.00 per year to be paid to the City for rental, the lessees would have a clear profit over and above operating expenses, rental and interest and sinking fund of \$146,000.00 per year from the beginning. And if there was the same proportional increase in water and light takers that there has been for the past six years, the net profits of the lessees for the fifty years would be between seven and eight millions of dollars, after paying operating expenses, rental and interest and sinking fund on their original investment. But the original investment could be retrieved in considerably less time than fifty years, if two per cent per annum was provided for as a sinking fund, and long before the lease expired, no interest on sinking fund would have to be provided for.

5th In making this report, your Committee is not intending to act disconsciously to the gentlemen who are asking for the passage of this ordinance. On the contrary, we desire to treat them with every courtesy and give them every opportunity to be heard, if they desire to submit a proposition looking to the rebuilding of the dam. But, for the reasons above stated, we do not believe that it is possible to make a contract, looking to the leasing of the system for a long period of years, that would be fair to the City and its inhabitants and meet the approval of the parties desiring the lease.

We, therefore, recommend, that the Council invite these gentlemen, and any others who may so desire, to make the City a proposition to rebuild the dam, the City to pay them for a term of years a sum annually, to be agreed upon, out of the earnings of the plant and the City to retain the exclusive management, control and custody of the entire plant, including the lake, and to take the dam at the end of the fixed period, free from any claim of any sort. We believe that if the proper terms can be agreed upon, with some person or corporation, on these lines, a feasible way of constructing the dam can be agreed upon.

W. D. Elliston

C. H. Poxell

J. C. Redd

Plant & Light Committee

Cederman Price offered the following resolution

Be it resolved by the City Council of the City of Austin:
 That, whereas, there are several parties who are figuring
 on rebuilding the dam if satisfactory, arrangements can
 be made with the City; and

Whereas, it is the sense of this Council that the only
 proposition that would be acceptable to the City would
 be for some party or parties to undertake to rebuild
 said dam and turn over the entire control thereof,
 including the system and the lake formed by the
 construction of said dam, the City to pay annual install-
 ments for the use thereof for a fixed number of years, at
 the end of which time the same should belong to the City
 absolutely, the party or parties making such contract
 to keep the dam standing during the life of such contract.

Now, therefore, if any person or persons or corporation
 desires to submit a proposition along these lines, they
 are requested to file a sealed proposition with the Mayor
 on or before 12 o'clock, noon of the 14th day of January
 A.D. 1907, and all such propositions shall be turned in
 unopened to the Council at the next regular meeting.

Alderman Scott moved to amend the resolution by striking
 out the word "January" and inserting the word "March".
 Alderman Wilhelm moved to substitute by inserting "February"
 instead of "March".

The vote was taken on the motion of Alderman Scott and the
 motion last by the following vote:

Yea Aldermen Crooked Hutz Macken Moore Read Scott
 & Von Rosenberg

Nay Aldermen Armstrong Clegg Mackaynes Miller Petri
 Powell & Wilhelm

The vote was then taken upon the substitute offered by Alderman
 Wilhelm and same adopted by the following vote:

Yea Aldermen Crooked Clegg Mackaynes Hutz Macken Miller
 Petri Powell Read Scott Von Rosenberg & Wilhelm 12

Nay Aldermen Armstrong & Moore

Alderman Moore moved to amend by adding the
 following, "Provided further that any proposition of
 any kind is invited, whether along the lines outlined
 or not." The amendment was adopted by the following vote:
 Yea Aldermen Armstrong Crooked Clegg Mackaynes Hutz
 Miller Scott & Von Rosenberg

Nay Aldermen Macken Miller Petri Powell Read
 & Wilhelm

Alderman Moore offered the following amendment
 which was adopted "The Council reserves the right to
 reject all bids if not satisfactory."

The resolution was amended and then adopted
 a communication from the Poyry Bag on the subject of

leasing the Water Light plant was read and ordered filed.
The Finance & Claims & Accounts Committee to whom was referred the petition of the Austin Fire Insurance Co in regard to taxes, presented the following report

Austin, Texas, Dec 20, 1906

To the Hon W W Sheller, Mayor, and the City Council
of the City of Austin:

We, Your Finance Committee and Committee on claims and accounts, to whom was referred a petition of the Austin Fire Insurance Company for a correction of the tax rendition of said Company for the years 1905 and 1906, beg leave to report that we have carefully considered same and recommend that said petition be granted.
We submit herewith a resolution which recommends that the Council adopt.

H L Haynes
Frank Rosenberg
Liu Crooker

Finance Committee
Henry Petri
Chas J Armstrong
Committee on claims and accounts

W D Hart City Attorney

Be it resolved by the City Council of the City of Austin:
That the City Assessor and Collector of Taxes, and he is hereby directed to correct his assessment rolls for the year 1905, by striking therefrom \$60,842.00 cash on hand and in bank, and for the year 1906, by striking from said rolls the sum of \$19,094.00, cash on hand and in bank,
assessed against the Austin Fire Insurance Company by the Boards of Equalization for these two years.

This correction, however, shall not be made until after the 1st day of January, A.D. 1907; and, if prior to said 1st day of January, A.D. 1907, the said Austin Fire Insurance Company fails to remove or does remove its principal office outside of the City of Austin, this resolution shall be of no force and effect, and the City Assessor and Collector shall, in that event, permit said assessments to stand as made by the Boards of Equalization.

This resolution is passed and said corrections ordered because there is grave doubt as to the right of the City to lay money on deposit in banks without the City.

The resolution was adopted by the following, Voted
Geo. Leedomen Armstrong Crooker Haynes Hart, Macken
Truman Petri Correll Codd Scott & McMillan

11

... Icherman Anna Moore & Frank Rosenberg
Witnesses in ore for the City Hall Committee presented
the following report.

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Report Com on
petition Austin fire
water taxes,

Austin, Texas, Dec 20, 1900

To the Hon Wm Hickey and Board of Aldermen
City of Austin

Gentlemen:

The Your City-Hall Committee beg leave to report, that on account of the recommendations and request of property owners adjoining the new City-Hall and for the further purpose of satisfying those persons living in said neighborhood, in regard to the jail and Corporation Court, we respectfully recommend that the changes made in plans and specified by your Architect be made to which we respectfully refer. The cost of said changes will be the addition of ten feet on North side of building, both stories and basement, including all necessary excavating, cement work, concrete, brick and stone work with boiler room and new brick porch and stone steps, with vestibule and entrance on east side larger area way and a much larger jail, Court room and Assessor and Collectors office with all necessary new openings including changing tanks and lavatories, with coal chute and fuel rooms, will be six thousand six hundred eighty two dollars (\$682⁰⁰)

And we further recommend that the Mayor be instructed to enter into contract with the firm of Begeant & Brydon, the Contractors for City-Hall for this additional work.

Respectfully submitted

C. C. Moore

Henry Petri

E. V. Rosenberg

City-Hall Committee

The report of the Committee was adopted by the following Vote
Aldermen Armstrong, James Haynes, Katz, Thacker, Miller,
Moore, Cain, Powell, Reed, Scott, Van Rosenberg & Wilhelm 13
Nays Alderman Crookshank

In recommendation of the Mayor fines assessed in
the Recorders Court against the following named persons
were remitted, viz

James Begeant Powers.

On motion the Council adjourned

J. S. Johnson
City Clerk